

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6141 of 2005

Between:

Chaitanya Mahila Mandali, Addanki, Rep by its President Karpurapu Neeraja,
W/o. Srinivasa rao, aged 41 years, R/o. Addanki, Prakasam District.

..... PETITIONER

AND

- 1 Superintendent of Police, Prakasam District, Ongole.
- 2 Station House Officer, Addanki Police Station, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not investigating and not filing charge sheet in Crime No. 13 of 2003 on the file of 2nd respondent police Station is illegal, irregular and violative of Article 14 of the constitution of India and also contrary to the provisions of code of criminal procedure and consequently direct the respondents to investigate into the said crime and charge sheet the accused persons named therein in accordance with law and pass such other orders or order as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following:

-

-

-
-
-
-

ORDER:

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

The only grievance of the petitioner is that the police officials are not investigating into the matter, pursuant to the complaint made against the accused persons, who are named in the FIR.

The truth or otherwise of the complaint cannot be gone into by this court, nor this court straight away issue a direction to the police officials to make arrest and conduct investigation. Therefore, suffice it to close the writ petition with a direction to the respondents to make investigation into Crime No. 13 of 2003, strictly in accordance with law and complete the other formalities.

Though the above order should have been the order in normal course, but from a perusal of the record, it could be seen that the crime was registered somewhere in the year 2003 and what had happened since 2003 till today, is not made known to this court by the petitioner. For the first time, after a long lapse of time, the present Writ Petition is filed and the reason for the delay is indiscernible. The aggrieved person shall approach the court within a reasonable period, if really there is a genuine grievance. The inordinate delay in filing the present Writ Petition for seeking the present relief raises many an eyebrow, and hence, no direction deserves to be issued and this Writ Petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed, subject to the above observations.
No costs.

D.S.R. VARMA, J

DATED: 24.03.2005

Ka

To

- 1 Superintendent of Police, Prakasam District, Ongole.
- 2 Station House Officer, Addanki Police Station, Prakasam District.
3. Two CCs to G.P. for Home, High Court of A.P. Hyderabad. (OUT)
5. Two CD copies.